



DEPARTMENT OF STATE
BRIEFING MEMORANDUM

Attachment e

R

43

DECLASSIFIED November 21, 1980

1. Strengthening of the Asylum Unit of the Bureau of Human Rights and Humanitarian Affairs. The number of asylum requests made by aliens in the United States has been increasing since 1971 when the Department first began to review such requests sent from the Immigration Service.

Since 1971, the annual caseload has been as follows:

1971 - 441	1975 - 1547	1979 - 2,275
1972 - 945	1976 - 1821	1980 - 13,000
1973 - 1643	1977 - 1616	
1974 - 1460	1978 - 1669	

There are currently over 5,000 Iranian cases that are under review and remain pending until the resolution of the hostage situation. Another 57,000 Iranians, in the U.S. as students, may eventually be faced with deportation or applying for asylum. Approximately 4,000 other cases are under review and 2,500 have been completed this year. In addition, 15,000-30,000 Nicaraguans in Florida are likely to apply for asylum in order to delay deportation to Nicaragua. There are 12,000-20,000 Haitians already in the U.S. who will be asylum applicants if special legislation regarding them is not passed. Approximately 150-200 Haitians have been entering the U.S. each week since April. In addition, there are some 20,000 Haitians illegally in the Bahamas who might be forced to leave before the end of January, 1981. Many of these will chose to come to the U.S. and apply for asylum rather than return to Haiti. (HA is participating in a Working Group, which includes ARA and RP, in devising proposed solutions to the illegal immigrant problem from Haiti and elsewhere in the Caribbean.)

2. Time Constraint. In routine cases, the Department is required by statute to review asylum requests within 45 days of receipt from the Immigration Service. The asylum office is unable to complete the review of cases currently

REVIEWED BY: *[Signature]* DATE: 4/7/83
RDS or KDS EXT: DATE: _____
TS AUTH. _____ REASON(S) _____
ENDORSE EXISTING MARKINGS ☐
DECLASSIFIED ☐ RELEASABLE ☒
RELEASE DENIED ☐
PA or FOI EXEMPTIONS _____

on hand within 45 days. Once the hostage situation is resolved, over 5,000 Iranian cases will have to be reviewed. This is a task which is far beyond the capacity of the office to complete in a timely manner. In addition, the expected volume of Nicaraguan and Haitian requests will easily swamp the review process.

3. What We Are Doing and Why. It is a basic tenet of the asylum policy to consider each request on its individual merits. The Department of State is involved in the review process as a result of the Presidential directive issued in 1970 stemming from the Simas Kudirka incident in which a Lithuanian seaman was forcibly removed by the Soviets from a U.S. Coast Guard cutter. Under current regulations, all asylum requests submitted to the Immigration Service (INS) are also forwarded to the Department for evaluation as part of the INS' consideration of the request. INS makes the final decision to approve or deny the request, but invariably accepts the recommendations of the Department of State.

The recent but dramatic increase in the volume of asylum applicants or potential asylum applicants has caused us to reevaluate the role that the Department should play in the review process. The Department's current role ensures that as thorough a review as possible take place during the initial stages of the review process. Any less involvement by the Department might be perceived as a weakening of our asylum policy.

If the Department's role remains unchanged, additional positions, particularly clerical and secretarial, must be authorized in order to meet our basic responsibilities.

DRAFTED BY: HA Staff

11/21/80

03:35:00